

# SB1498



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

SB1498

Introduced 2/9/2007, by Sen. David Koehler

#### SYNOPSIS AS INTRODUCED:

30 ILCS 500/30-22

Amends the Illinois Procurement Code. With respect to the criteria for status as a responsible bidder on State construction contracts, adds requirements concerning the provision of employee health insurance, training, and pension or retirement benefits.

LRB095 09613 JAM 29813 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning finance.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Procurement Code is amended by  
5 changing Section 30-22 as follows:

6 (30 ILCS 500/30-22)

7 Sec. 30-22. Construction contracts; responsible bidder  
8 requirements. To be considered a responsible bidder on a  
9 construction contract for purposes of this Code, a bidder must  
10 comply with all of the following requirements and must present  
11 satisfactory evidence of that compliance to the appropriate  
12 construction agency:

13 (1) The bidder must comply with all applicable laws  
14 concerning the bidder's entitlement to conduct business in  
15 Illinois.

16 (2) The bidder must comply with all applicable  
17 provisions of the Prevailing Wage Act.

18 (3) The bidder must comply with Subchapter VI ("Equal  
19 Employment Opportunities") of Chapter 21 of Title 42 of the  
20 United States Code (42 U.S.C. 2000e and following) and with  
21 Federal Executive Order No. 11246 as amended by Executive  
22 Order No. 11375.

23 (4) The bidder must have a valid Federal Employer

1 Identification Number or, if an individual, a valid Social  
2 Security Number.

3 (5) The bidder must have a valid certificate of  
4 insurance showing the following coverages: general  
5 liability, professional liability, product liability,  
6 workers' compensation, completed operations, hazardous  
7 occupation, and automobile.

8 (6) The bidder and all bidder's subcontractors must  
9 participate in applicable apprenticeship and training  
10 programs approved by and registered with the United States  
11 Department of Labor's Bureau of Apprenticeship and  
12 Training.

13 (7) The bidder and all the bidder's subcontractors  
14 shall remit health and welfare insurance, training, and  
15 pension or retirement contributions required by the  
16 Prevailing Wage Act to bona fide employee benefit plans  
17 administered and maintained in accordance with the  
18 Employee Retirement Income Security Act or the Illinois  
19 Insurance Code; provided that (A) such payments are held in  
20 trust for the purposes of paying, either from principal or  
21 income, or both, for the sole and exclusive benefit of  
22 employees and their families and dependents for medical and  
23 hospital care, training, or pensions or other retirement  
24 benefits on retirement and (B) employees and employers are  
25 equally represented in the administration of such fund or  
26 insurance. Health and welfare insurance plans governed by

1       the Illinois Insurance Code are exempt from the requirement  
2       in clause (A) that such payments be held in trust.

3       (8) Each bidder shall additionally provide (i) medical  
4       and hospital benefits for all the bidder's employees  
5       employed on the project, (ii) coverage at least comparable  
6       to the medical and hospital benefits provided by health and  
7       welfare plans in the applicable craft recognized and used  
8       by the Illinois Department of Labor in establishing wage  
9       rates under the Prevailing Wage Act, or (iii) both (i) and  
10       (ii).

11       The provisions of this Section shall not apply to federally  
12       funded construction projects if such application would  
13       jeopardize the receipt or use of federal funds in support of  
14       such a project.

15       (Source: P.A. 93-642, eff. 6-1-04.)